

SEP 15 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven Reppert et al. Art Unit : 1646  
 Serial No. : 09/226,046 Examiner : M. Pak  
 Filed : January 5, 1999  
 Title : HIGH-AFFINITY MELATONIN RECEPTOR AND USES THEREOF

**MAIL STOP AF**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RECEIVED  
 SEP 17 2003  
 TECH CENTER 1600/2900

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated March 11, 2003, finally rejecting claims 33, 35, 53, 78, 80-85.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including September 11, 2003 is enclosed.

A check in the amount of \$320 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 11, 2003

Andrew W. Torrance  
 Andrew W. Torrance, Ph.D., J.D.  
 Reg. No. 51,108

Fish & Richardson P.C.  
 225 Franklin Street  
 Boston, MA 02110-2804  
 Telephone: (617) 542-5070  
 Facsimile: (617) 542-8906

20723984.doc

09/16/2003 MGE BREM1 00000075 09226046

02 FC:1401

320.00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 11, 2003  
 Date of Deposit

Tom M. Sauer  
 Signature

Tom M. Sauer  
 Typed or Printed Name of Person Signing Certificate